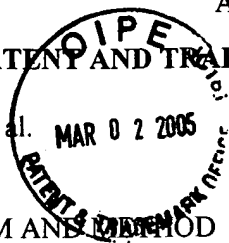


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David S. Peacock, Jr. et al.  
 Serial No.: 10/661,830  
 Filing Date: September 12, 2003  
 For: DISPENSING SYSTEM AND METHOD  
 Examiner: Not Yet Assigned  
 Art Unit: 3652  
 Confirmation No.: 7710



*1/2*

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 28th day of February, 2005.

*Keith F. Noe*  
 Keith F. Noe, Esq. (Reg. No. 34,686)

**MAIL STOP AMENDMENT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

Transmitted herewith are the following documents in connection with the above-identified patent application:

- ☒ Information Disclosure Statement (3 pgs.);
- ☒ PTO Form 1449 (in duplicate - 3 pgs.); and
- ☒ Return Receipt Postcard

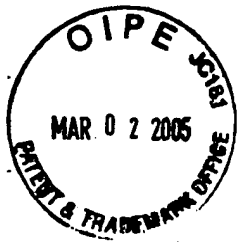
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

The Commissioner is hereby authorized to charge any deficiencies or overpayment to Deposit Account No. 50/2762, Ref. No. C2013-7138. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

*Keith F. Noe*  
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 Attorney for Applicants

Dated: February 28, 2005  
 Attorney Docket No.: C2013-7138  
 759510.1



Attorney Docket No. C2013-7138

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: David S. Peacock, Jr. et al.  
Serial No.: 10/661,830  
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*Keith F. Noe*  
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Keith F. Noe, Esq. (Reg. No. 34,686)

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

**PART II: Information Cited**

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant(s): David S. Peacock, Jr. et al.  
U.S.S.N.: 10/661,830

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Applicant(s): David S. Peacock, Jr. et al.  
U.S.S.N.: 10/661,830

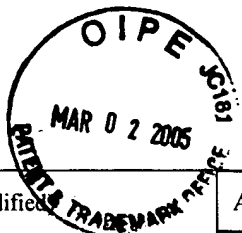
An early and favorable action is hereby requested.

Respectfully submitted,

By: Keith F. Noe

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Attorney for Applicants

Dated: February 28, 2005  
Attorney Docket No.: C2013-7138



FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/661,830

ATTY. DOCKET NO.: C2013-7138

FILING DATE: September 12, 2003

CONFIRMATION NO.: 7710

APPLICANTS: David S. Peacock, Jr. et al.

GROUP ART UNIT: 3652

EXAMINER: Not Yet Assigned

**U.S. PATENT DOCUMENTS**

| Examiner's<br>Initials | Cite<br>No. | U.S. Patent Document |              | Name of Patentee or Applicant of Cited<br>Document | Date of Publication or of issue<br>of Cited Document<br>MM-DD-YYYY |
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**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

| Examiner's<br>Initials | Cite<br>No. | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s),<br>publisher, city and/or country where published. | Translation<br>(Y/N) |  |
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|                        | C1          | *PCT International Search Report dated February 20, 2001.   | Y                    |  |
|                        | C2          | International Search Report for PCT/US03/39531 mailed December 14, 2004.  | Y                    |  |
| EXAMINER               |             |   | DATE CONSIDERED      |  |

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/928,112, filed 08/10/2001, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications), or a copy of this reference need not be provided as the reference is a published U.S. Patent or U.S. Patent application and the present application was filed after June 30, 2003.

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]